

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

FREDDIE LEON MALDONADO et al.,

Plaintiffs,

v.

MUNICIPALITY OF YAUCO et al.,

Defendants.

CIVIL NO. 98-2381 (RLA)

CLERK'S OFFICE
U.S. DISTRICT COURT
SAN JUAN, P.R.

1999 NOV -8 AM 11:20

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ORDER APPOINTING SUBSTITUTE JOINT EXPERT
AND RESCHEDULING DEADLINES FOR REPORT

It appearing that EMILIANO H. RUIZ, M.S.C.E., who was recently appointed by the Court¹ to inspect the site(s) allegedly in noncompliance with the ADA and issue a report thereon, will be unable to do so within the deadlines contemplated by the Court for conclusion of discovery in these proceedings,² plaintiffs' Informative Motion (docket No. 38, filed on October 28, 1999) is hereby **NOTED**.

Accordingly, the appointment of Engineer EMILIANO H. RUIZ is hereby **RESCINDED**.

IT IS FURTHER ORDERED that JOSE L. PEREZ BERENGER, M.S.C.E. is hereby **APPOINTED** in his place to carry out the inspection of the

¹ See Order Appointing Joint Expert... (docket No. 34, filed on October 13, 1999).

² See Minutes and Order of Initial Scheduling Conference Held on August 11, 1999 (docket No. 24, filed on August 16, 1999).

³
Ruiz by fax
J. Perez

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2 site(s) which plaintiffs allege are in noncompliance with ADA
3 requirements.³

4 IT IS FURTHER ORDERED that Eng. PEREZ shall issue a report of
5 his findings no later than November 30, 1999, which report shall be
6 filed by plaintiffs no later than December 3, 1999.

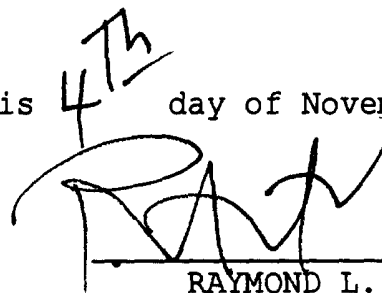
7 IT IS FURTHER ORDERED that the parties' briefs regarding the
8 applicability of the ADA regulations to the alleged violations shall
9 be filed no later than December 15, 1999.

10 Counsel are admonished that failure to comply with the terms of
11 this Order may result in the imposition of sanctions as the Court
12 deems appropriate.

13 This Order shall be FAXED to counsel of record and Eng. EMILIANO
14 H. RUIZ (Fax No. 774-8850) and notified to JOSE L. PEREZ BERENGER,
15 M.S.C.E., at 12 Muñoz Rivera St. (2nd floor), Cabo Rojo, P.R. 00623
16 (Tel. No. 851-7114).

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18 IT IS SO ORDERED.

19 San Juan, Puerto Rico, this 4th day of November, 1999.



RAYMOND L. ACOSTA
United States District Judge

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26 ³ As agreed by the parties at the ISC, both parties shall be
responsible for payment of Mr. PEREZ' fees.

E. Ruiz 774-8956